

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

DR. AMANDA TUCKER,

Appellant,

Case No. 22-cv-00340-DKW-RT

**ORDER DISMISSING CASE FOR
LACK OF SUBJECT MATTER
JURISDICTION**

On August 3, 2022, the Court entered an Order instructing Dr. Amanda Tucker to identify (1) the case name and number of the bankruptcy court case to which she referred in her Request for Judicial Review, (2) the specific order or orders from that case that she wished to have reviewed, and (3) the legal authority for this Court to review those orders. Dkt. No. 3. The Court forewarned Tucker that failure to file a response as directed would result in dismissal of this case.

On August 17, 2022, Tucker filed a response, but, as the Court explained in an Order on September 1, 2022, failed to answer any of the questions directed toward her. Dkt. No. 5. Nonetheless, despite the warning issued to Tucker that the failure to adequately respond would result in dismissal, the Court provided Tucker with a final opportunity. Specifically, the Court gave Tucker until September 12, 2022 to file a response to the August 3, 2022 Order—again warning

her that failure to do so would result in dismissal of this case for lack of subject matter jurisdiction.

Tucker did not file a response by September 12, 2022. Instead, on September 13, 2022, Tucker filed a document in which she requested until September 16, 2022 to respond. Dkt. No. 6. Although the Court took no action on Tucker's September 13, 2022 request, a response was not filed on September 16, 2022, as Tucker stated it would. As of this date of this Order, in fact, a response has still not been filed.

In this light, the Court must dismiss this action for lack of subject matter jurisdiction. As explained in the August 3, 2022 Order, by way of this action, Tucker appears to seek to challenge various matters from a proceeding before the U.S. Bankruptcy Court, despite contending that this is "not a bankruptcy case." Dkt. No. 4 at 22. Whether or not this is a bankruptcy case, though, and despite numerous opportunities, Tucker has provided no explanation of how this Court would have subject matter jurisdiction over anything that she wishes to achieve in this case and the Court cannot discern any either. See Dkt. Nos. 3, 5.

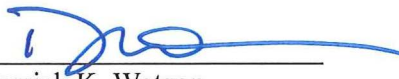
Accordingly, this case is DISMISSED WITHOUT PREJUDICE for lack of subject matter jurisdiction. See *Tijerino v. Stetson Desert Project, LLC*, 934 F.3d 968, 971 n.2 (9th Cir. 2019) (noting that, in general, "dismissal for lack of subject

matter jurisdiction should be without prejudice.”). Tucker’s (1) application to proceed in district court without prepaying fees or costs, Dkt. No. 2, and (2) request for continuance, Dkt. No. 6, are both DENIED AS MOOT.

IT IS SO ORDERED.

Dated: September 21, 2022 at Honolulu, Hawai‘i.




Derrick K. Watson
United States District Judge

Dr. Amanda Tucker; Civil No. 22-00340 DKW-RT; **ORDER DISMISSING CASE FOR LACK OF SUBJECT MATTER JURISDICTION**